

Application:	10/667,685	Examiner:	Anuradha Ramana
Confirmation:	9399	Art Unit:	3733
Filed:	September 22, 2003	Atty Ref.:	DEP0777USNP
Inventor:	Heldreth		
Title:	MODIFIED SYSTEM AND METHOD FOR INTRAOPERATIVE TENSION ASSESSMENT DURING JOINT ARTHROPLASTY		

NOTICE OF APPEAL

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<p>I hereby certify that this correspondence is being transmitted via The Office electronic filing system in accordance with 37 CFR 1.6(a)(4) on <u>February 27, 2009</u> (Date of Deposit) <u>Stephen J. Manich</u> (Name of applicant, assignee, or Registered Representative) <u>/Stephen J. Manich/</u> (Signature) <u>February 27, 2009</u> (Date of Signature)</p>
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Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated 09-02-2008 finally rejecting Claims 1-4, 10, 12-17 and 28-37 of the above-identified application.

The item(s) checked below are appropriate:

1. A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
2. A Pre-Appeal Brief Request For Review accompanies this Notice of Appeal.
3. The costs of filing this Notice of Appeal and the Petition for Extension of Time are being paid on-line via EFS. The Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 10-0750/DEP777USNP/SJM.

Respectfully submitted,

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Dated: February 27, 2009